

## REMARKS

Claims 1-7 and 9-12 are pending in the application. Claims 1, 2, 6, 7 and 9 have been amended. Claim 8 has been canceled without prejudice or disclaimer. Reconsideration of this application is respectfully requested.

Applicant appreciates the Examiner participating in a telephonic interview with applicant's attorney on July 30, 2008. The interview discussion focussed on a proposed amended version of claim 7 that incorporated the language of claim 8. The Examiner agreed that the proposed claim avoids the cited art. Claim 7 has been amended to correspond to the proposed claim discussed during the interview. Dependent claim 9 has been amended to change its dependency to amended claim 7.

Claim 1 has been amended to incorporate the language of claim 8 with modifications to match the language used in claim 1. Claims 2 and 6 have been amended by changing "said object" to "said import object" for consistent antecedent usage.

The Office Action rejects claims 7-12 under the second paragraph of 35 U.S.C. 112 as being indefinite.

The Examiner noted in paragraph 3A that "said validated import object" at line 6 of claim 7 lacks antecedent basis because claim 7 earlier recites "an import request to validate an import object" and "validating said import request". This issue was addressed during the interview and amended claim 7 recites "said import request for said import object" at lines 5-6, 12-13 and 15-16. It was agreed during the interview that this language overcomes the rejection of claim 7 under the second paragraph of 35 U.S.C. 112 as being indefinite.

The Examiner further noted in paragraph 3B that "said existing object" is confusing as it is unclear how the recited steps in claims 8, 10 and 11 could be performed if there is no existing object. This issue was addressed during the interview. With

respect to the validation steps of canceled claim 8 (now recited in amended claim 7), these validation steps are shown in Fig. 1B as steps 128, 132, 136 and 138. Amended claim 7 does not recite what the system does in the event there is no “existing object”. In Fig. 1B, step 134 adds an error condition if no existing object is found and step 130 is performed next. Similar operation is shown in Figs. 1C and 1E for check-in steps and versioning steps recited in claims 10 and 11. Whether or not claims 7, 10 and 11 recite steps concerning the eventuality of an existing object being found is a matter of breadth and not indefiniteness. Therefore, claims 7, 10 and 11 are in compliance with the second paragraph of 35 U.S.C. 112.

For the reason set forth above, it is submitted that the rejection of claims 7-12 under 35 U.S.C. 112 is obviated by the amendment and should be withdrawn.

The Office Action rejects claim 7 under 35 U.S.C 103(a) as unpatentable over the publication entitled, “Version Management with CVS”, by Cederqvist, hereafter Cederqvist.

During the interview it was agreed that amended claim 7 overcomes Cederqvist. In particular, claim 7 recites a validation procedure that is done upon receiving a request for an import object. The validation procedure comprises the steps of “determining” if said existing object has a status of checked-in” and “locking said status of said existing object so as to validate said import request for said import object”. In contrast, Cederqvist merely loads an import object into a remote branch without doing any checks or locks concerning any “existing object”. That is, Cederqvist does not do check-in status of an “existing object” when checking in an “import object”. The Examiner agreed that amended claim 7 is patentably distinct from Cederqvist.

For the reason set forth above, it is submitted that the rejection of claim 7 under 35 U.S.C. 103(a) is obviated by the amendment and should be withdrawn.

The Office Action rejects claims 1-6 and 12 under 35 U.S.C 103(a) as unpatentable over Cederqvist in view of U.S. Patent No. 6,449,624 to Hammack et al., hereafter Hammack.

Independent claim 1 has been amended to incorporate the language of claim 8 and, therefore, is patentable distinct from Cederqvist for the reasons set forth in the above discussion of amended claim 7. Hammack, which was cited for a different reason, does not supply the deficiencies of Cederqvist.

The Examiner included claim 12 in the rejection, but omitted independent claim 7 from which claim 12 depends. However, as noted above in the discussion of claim 7, Cederqvist lacks validation steps recited in amended independent claim 7.

For the reason set forth above, it is submitted that the rejection of claims 1-6 and 12 under 35 U.S.C. 103(a) is obviated by the amendment and should be withdrawn.

The Office Action rejects claims 8-10 under 35 U.S.C 103(a) as unpatentable over Cederqvist in view of the publication, entitled "RCS - A System for Version Control", by Tichy et al, hereafter Tichy. Claim 8 has been canceled.

This rejection is obviated by the amendment for the reason that Cederqvist lacks validation steps recited in amended independent claim 7, from which claims 9 and 10 depend. As discussed during the interview, Tichy does not supply Cederqvist's deficiency of checking status of an existing object during check-in of an import object or locking of the existing object upon check-in of an import object. Therefore, claims 9 and 10 are unobvious over the combination of Cederqvist and Tichy.

For the reason set forth above, it is submitted that the rejection of claims 9 and 10 under 35 U.S.C. 103(a) is obviated by the amendment and should be withdrawn.

The Office Action rejects claim 11 under 35 U.S.C 103(a) as unpatentable over Cederqvist in view of Tichy as applied to claim 10, and further in view of U.S. Patent Publication No. 2002/0019827 to Shiman et al., hereafter Shiman.

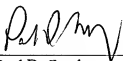
This rejection is obviated by the amendment for the reason that the combination of Cederqvist and Tichy lacks the above noted deficiency of independent claim 7, from which claim 11 depends. Shiman, which was cited for a different reason, does not supply the deficiency. Therefore, claim 11 is unobvious over the combination of Cederqvist, Tichy and Shiman.

For the reason set forth above, it is submitted that the rejection of claim 11 under 35 U.S.C. 103(a) is obviated by the amendment and should be withdrawn.

It is respectfully requested for the reasons set forth above that the rejections under 35 U.S.C. 112 and 35 U.S.C. 103(a) be withdrawn, that claims 1-7 and 9-12 be allowed and that this application be passed to issue.

Respectfully Submitted,

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